



**IT IS ORDERED as set forth below:**

**Date: January 20, 2020**

*Wendy L. Hagenau*

**Wendy L. Hagenau  
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re:	)	Chapter 11
	)	
THE KRYSTAL COMPANY, <i>et al.</i> , <sup>1</sup>	)	Case No. 20-61065
	)	
	)	
Debtors.	)	JUDGE PAUL W. BONAPFEL

**ORDER GRANTING COMPLEX CHAPTER 11 BANKRUPTCY CASE TREATMENT  
AND SCHEDULING FIRST DAY MATTERS**

This bankruptcy case was filed on January 19, 2020. A Notice of Designation as Complex Chapter 11 Case was filed. A Request for Expediated Consideration of Certain First Day Matters was filed on January 20, 2020. After review of the initial pleadings filed in this case, the Court

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: The Krystal Company (4140); Krystal Holdings, Inc. (5381); and K-Square Acquisition Co., LLC (8916). The location of the Debtors' corporate headquarters and service address is: 1455 Lincoln Parkway, Suite 600, Dunwoody, Georgia 30346.

concludes that this case appears to be a Complex Chapter 11 Case. Accordingly, unless the Court orders otherwise,

IT IS ORDERED:

- I. These cases shall proceed in accordance with the Procedures for Complex Chapter 11 Cases pursuant to General Order No. 26-2019, as amended;
- II. The Request for Expedited Consideration of Certain First Day Matters is GRANTED. A hearing will be held before Chief Judge Wendy L. Hagenau on January 22, 2020 at 10:00 a.m. in Courtroom 1403, Richard B. Russell Federal Building, 75 Ted Turner Drive SW, Atlanta, Georgia 30303, to consider the following First Day Matters:

- X   Debtors' Emergency Motion for Entry of an Order (I) Directing Joint Administration of Related Chapter 11 Cases and (II) Granting Related Relief
- X   Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Prepare a Consolidated List of Creditors, File a Consolidated List of the 30 Largest Unsecured Creditors, and Redact Certain Personal Identification Information for Individual Creditors; (II) Approving the Form and Manner of Notifying Creditors of the Commencement of These Chapter 11 Cases and Other Information; and (III) Granting Related Relief
- X   Debtors' Emergency Motion for Entry of an Order (I) Extending Time to File Schedules and Statements of Financial Affairs and (II) Granting Related Relief
- X   Debtors' Emergency Application for Appointment of Kurtzman Carson Consultants LLC as Claims, Noticing, and Solicitation Agent
- X   Debtors' Emergency Motion for Entry of an Order (I) Authorizing Continued Use of Prepetition Bank Accounts, Cash Management System, Forms, and Books and Records and (II) Granting Related Relief
- X   Debtors' Emergency Motion for Entry of an Order (I) Authorizing Debtors to Pay Certain Prepetition Taxes and Related Obligations and (II) Granting Related Relief

- X   Debtors' Emergency Motion for Entry of an Order (I) Authorizing Debtors to Continue Prepetition Insurance and Workers' Compensation Programs and to Pay Prepetition Premiums and Related Obligations and (II) Granting Related Relief
- X   Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Honor Prepetition Obligations to Customers and Otherwise Continue Customer Programs in the Ordinary Course of Business and (II) Granting Related Relief
- X   Debtors' Emergency Motion for Entry of an Order (I) Authorizing Payment of Prepetition Wages, Payroll Taxes, Certain Employee Benefits, and Related Expenses; (II) Directing Banks to Honor Related Prepetition Transfers; and (III) Granting Related Relief
- X   Debtors' Emergency Motion Entry of Interim and Final Orders (I) Prohibiting Utilities from Altering, Refusing, or Discontinuing Service on Account of Prepetition Invoices; (II) Deeming Utilities Adequately Assured of Future Performance; (III) Establishing Procedures for Determining Adequate Assurance of Payment; and (IV) Granting Related Relief
- X   Debtors Emergency Motion for Entry of Interim and Final Orders (I) Authorizing and Confirming Vendor Credit Support Arrangement; (II) Granting Superpriority Administrative Expense Claims; and (III) Granting Related Relief.
- X   Debtors' Emergency Motion for Entry of an Interim and Final Order (1) Authorizing the Debtors to Use Cash Collateral Pursuant to Section 363 of the Bankruptcy Code; (2) Granting Adequate Protection to Pursuant to Sections 361 and 363 of the Bankruptcy Code; (3) Modifying the Automatic Stay, (4) Scheduling a Final Hearing Pursuant to Rule 4001(c) of the Federal Rules of Bankruptcy Procedures, and (5) Granting Related Relief.

Copies of the First Day Matters shall be made available as follows: (i) upon written request to the Debtors' proposed counsel of record; (ii) at the website of the Debtors' proposed claims and noticing agent Kurtzman Carson Consultants LLC, at <http://www.kccllc.net/krystal>; (iii) by request via telephone at (888) 249-2792 (toll free for U.S. or Canadian-based parties) or (310) 751-2607 (for International parties); and/or (iv) in the Office of the Clerk, U.S. Bankruptcy Court between 8:00 a.m. and 4:00 p.m. or online anytime at <http://ecf.ganb.uscourts.gov> (registered users) or at <http://pacer.psc.uscourts.gov> (unregistered users). No further notice shall be required.

Attached hereto are procedures for parties appearing telephonically.

[END OF ORDER]

Prepared and presented by:

/s/ Sarah R. Borders

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*Proposed Counsel for the Debtors in Possession*

### Telephonic Appearance Procedures

As a participant in the hearing on First Day Matters, you will need to dial in utilizing AT&T Reservationless Conference Call the day of the scheduled hearing.

**Forwarded are the Dial in instructions:**

1. Please Dial: (888) 675-2535 no later than 15 minutes prior to the scheduled hearing.
2. Enter Access Code: 9297013.
3. Each time the participant speaks, please identify yourself for the record.
4. **Under no circumstances may you record or broadcast the proceedings conducted by the Bankruptcy Court.**